

Remarks

In the outstanding Official Action, the Examiner rejected claims 24-26 under 35 USC 102(b) as being anticipated by Cimber. Applicants respectfully traverse the rejection of claims 24-26 under 35 USC 102(b) as being anticipated by Cimber.

Independent claim 24 of the present invention comprises an installation tool configured to deploy a fastener, the fastener comprising a shaft, a bar at a proximal end of the shaft extending radially outwardly from the shaft, and a fin extending outwardly from the shaft proximate a distal end of the shaft, the fin and the bar being in alignment with each other along a side of the shaft, the installation tool comprising an elongated inserter comprising a tubular carrier portion configured to retain the fastener and having at a distal end on one side thereof a sharpened distally directed edge defined by a sloping end surface, the carrier portion having an open side from which extend end portions of the bar and the fin.

Applicants believe that Cimber discloses an insertion device configured to insert a plug into the uterus. Applicants believe that the plug includes a blocking plate and a positioning plate. Applicants believe that Cimber does not disclose an installation

tool having a tubular carrier portion configured to retain a fastener comprising a shaft, a bar at a proximal end of the shaft extending outwardly radially from the shaft, and a fin extending outwardly from the shaft proximate a distal end of the shaft. Accordingly, Applicants believe that claim 24 of the present invention is in condition for allowance.

Independent claim 25 of the present invention comprises an installation tool configured to deploy a fastener, the fastener comprising a shaft, a bar at a proximal end of the shaft extending radially outwardly from the shaft, and a fin extending outwardly from the shaft proximate a rounded distal end of the shaft, the fin and the bar being in alignment with each other along a side of the shaft, the installation tool comprising an elongated rigid tube, a carrier portion movable between a first position in the tube and a second position extended from a distal end of the tube, the carrier portion being configured to retain the fastener and having at a distal end thereof a sharpened edge configured to penetrate body tissue, the carrier portion having an open side from which extend end portions of the bar and the fin, and control means for moving the carrier portion in the tube between the first and second positions, whereby the installation tool is manipulable to extend the carrier portion and the

fastener therein into a body of tissue, and to withdraw the carrier portion from the tissue, whereupon the fin resists withdrawal of the fastener, and the fastener remains in the tissue as the installation tool is withdrawn therefrom.

Applicants believe that Cimber does not disclose an installation tool having a carrier portion configured to retain a fastener, the fastener comprising a shaft, a bar at a proximal end of the shaft extending outwardly from the shaft and a fin extending outwardly from the shaft proximate a distal end of the shaft, and the carrier portion movable between a first position in the tube and a second position extended from a distal end of the tube, the carrier portion being configured to retain the fastener and having at a distal end thereof a sharpened edge configured to penetrate body tissue, the carrier portion having an open side from which extend end portions of the bar and the fin. Accordingly, Applicants believe that independent claim 25 is in condition for allowance, and allowance thereof is respectfully requested.

Claim 26, which depends directly from independent claim 25, is believed to be in condition for allowance at least for the above-identified reasons. Accordingly, allowance of claim 26 is respectfully requested.

In the event that any additional fees may be required in this matter, please charge the same to Deposit Account No. 16-0221.

Respectfully submitted,

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